

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**Comcast of Massachusetts I, Inc.**

**Plaintiff,**

**VS.**

# Bill Grammer

## Defendant

**Case No.: 04 10867 PBS**

**AFFIDAVIT OF ATTORNEY FOR  
PLAINTIFF'S REQUEST  
FOR DEFAULT**

Now comes John M. McLaughlin, Attorney for the Plaintiff in the above-entitled action,  
and, on oath, states the following:

1. On April 30, 2004, the Plaintiff filed a Complaint against the Defendant, **Bill Grammer**, in United States District Court, alleging violations of 47 U.S.C. § 553.
2. On May 11, 2004, the said Defendant was served **by last and usual place of abode**, by **Deputy Sheriff George A. Hooper** (see copy of Deputy Sheriff's Return of Service marked **Exhibit A**, attached hereto, and made a part hereof).
3. Pursuant to the provisions of Rule 12 of the Fed. R. Civ. P., the Defendant had twenty days after being served with the summons and complaint within which to serve an answer to Plaintiff's Complaint.
4. To date, the Defendant has failed and neglected to file an answer to Plaintiff's Complaint or to otherwise defend against Plaintiff's claims, but the Defendant did file a request to move this case back to Boston after the court had initially moved the case to Springfield. That is the only pleading or defense filed by this Defendant.

5. I have filed herewith an application for entry of default, with the request that a Notice of Default be entered by this Court.
6. I have attached a Form of Order entitled Notice of Default, for the Court's use if it shall determine that the said Defendant is in default.

Subscribed and sworn to, under the pains and penalties of perjury, this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Respectfully Submitted for the Plaintiff,  
Comcast of Massachusetts I, Inc.  
By Its Attorney,

/s/ John M. McLaughlin  
John M. McLaughlin  
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